



Assembly  
California Legislature

ASSEMBLY COMMITTEE ON  
ENVIRONMENTAL SAFETY AND TOXIC MATERIALS

PEDRO NAVA, CHAIR

ASSEMBLYMEMBER, THIRTY-FIFTH DISTRICT

April 15, 2010

Honorable Arnold Schwarzenegger  
Governor, State of California  
State Capitol, First Floor  
Sacramento, CA 95814

Dear Governor Schwarzenegger:

The State of California has an obligation and responsibility to its people to protect their health from toxic chemicals and environmental hazards. This protection must also respect the rights and dignity of all people. Today, I believe we are failing that responsibility in the community of Kettleman City. I am asking you to again stand up for the people of Kettleman City and correct the failed course of action that your State agencies are pursuing.

Your action in January of this year directing the Department of Public Health and California's Environmental Protection Agency to conduct an investigation into what could be causing an abnormal percentage of birth defects in Kettleman City was exactly the right decision. Unfortunately your departments and agencies have failed to carry out that direction in a productive fashion.

**You must take charge.**

First, you need to take charge of this process. Only the Governor can be fully responsible for protecting this community. To date we have six different State agencies involved and no one in charge --- that is a recipe for disaster. Public trust by the people of Kettleman City must be reestablished.

**The public health study is missing the point.**

The Department of Public Health must broaden the investigation to include other public health concerns including cancers. Birth defects are just the first sign of an even larger public health problem.

While we do not yet know much about the public health and epidemical studies will entail, given the uncertainty about causes, bio-monitoring is likely and appropriate and a critical component. The public has a right see what kind of chemicals we find in people rather than just looking at what chemicals are found in the ambient environment.

**The environmental study is too narrow and may miss the cause of the public health crisis.**

The State agencies must broaden the investigation to include additional environmental toxins including diesel emissions and other high volume chemicals in addition to the specific reproductive toxicants they are already looking at.

The effects of pesticides must be seriously considered. The limited pesticide modeling is inadequate. The public is rightly demanding that air, soil, and human testing are needed to understand the presence of deadly pesticide. Another paper and pencil study will not work.

**Kettleman Hills hazardous waste facility.**

There is no way to approve a permit for the expansion of the Kettleman Hills hazardous waste facility by the State or local agencies until comprehensive public health and environmental studies have been completed. The same standard must apply for permits and licenses being issued by local and State air quality agencies.

This is a public health crisis as well as a management catastrophe. I am confident that you share my concern and I stand ready to work with you to protect the people of this State, including those in Kettleman City.

Sincerely,



PEDRO NAVA,  
Chairman

Cc: Secretary Linda Adams  
Secretary Kim Belshé